

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 03-5017-01-CR-SW-GAF
)	
EDWARD K. RAIFSNIDER,)	
)	
Defendant.)	

ORDER

Now pending before the Court is defendant's *pro se* Motion to Dismiss Indictment or in the Alternative "Strike" the Government Enhancement Pursuant to 18 U.S.C. § 924(e)(1) from Indictment.

United States Magistrate Judge James C. England issued his Report and Recommendation on May 10, 2005. No objections were filed.

Upon careful and independent review of the pending motion, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge James C. England.

Accordingly, it is hereby ORDERED that Defendant's *pro se* Motion to Dismiss Indictment or in the Alternative "Strike" the Government Enhancement Pursuant to 18 U.S.C. § 924(e)(1) from Indictment is denied without prejudice.

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
United States District Court

DATED: May 26, 2005